

REMARKS

Claims 1, 3-5, 8-25, 47, 49-51, 54-61 and 73-87 were pending. Claims 26-46 and 62-72 are withdrawn. Claims 1, 11, 25, 47 and 57 are currently amended. Claims 9, 10, 55, and 56 are currently cancelled. Claims 88-109 are newly presented.

In view of the Amendments herein and the Remarks that follow, Applicants respectfully request that the Examiner reconsider all outstanding rejections, and withdraw them.

Response to Rejection Under 35 USC § 103(a)

In the 1st and 2nd paragraphs of the Office Action, the Examiner rejects claims 1, 3-5, 8, 11, 16-24, 47, 49-51, 54, 57, 73-77 and 83-87 and as allegedly being unpatentable over Tripp et al., US Patent number 6,976,053 (“Tripp”) in view of Mathur et al., US Patent Number 6,581,072 (“Mathur”) in further view of Brandli et al., US Patent Number 5,701,469 (“Brandli”). This rejection is respectfully traversed.

Claim 1, in relevant part, recites:

generating a user-context-dependent search query based, at least in part, on a user action history comprising a plurality of dates upon which a plurality of user actions were performed on a plurality of articles, responsive to identifying an aspect associated with an article;
generating an insert based, at least in part, on the aspect, wherein the insert comprises a search result associated with the aspect and generated responsive, at least in part, to searching an article index using the user-context-dependant search query; and causing the insert to be displayed in a transient window proximate to the aspect.

The claimed invention is directed to displaying an insert comprising a search result proximate to an aspect associated with an article. Claims 1 and 47 have been amended to recite elements similar to those of cancelled claims 10 and 56 directed to causing the insert to be displayed “in a transient window proximate to the aspect”.

In the rejection of cancelled claim 10, the Examiner alleges that Musgrove (US Publication No. 2005/0065909) discloses “causing the display of at least part of the insert in a transient display proximate to the aspect”. In support of this rejection, the Examiner cites a portion of Musgrove (page 9, Paragraph 62) that states “*The re-sorted list of products is provided to the display module 28 that sends the results to the client 40 for display as advertisements or links, or in other format as being products that the user may want to consider.*” The Examiner states that this text “**clearly indicates** that the insert (e.g. query result) may be displayed in the article as an advertisement **proximate to the aspect**”. Applicants respectfully submit that this statement extends the cited portion of Musgrove beyond its teachings. The cited portion of Musgrove merely discusses the generic display of search results as advertisements or links and contains no teaching or suggestion of “causing the insert to be displayed in a transient window proximate to the aspect”.

In this rejection the Examiner further states that “it is common for advertisements to be cycled/reloaded on web pages, qualifying an advertisement as transient”. Applicants respectfully disagree with this construction of the term “transient window”. In the claimed invention, the term “transient” is used to modify the term “window”, meaning that the display of the window is transient. The term “transient” is not used to modify the term “insert”, which the Examiner has mapped to the advertisement in Musgrove. Therefore, the claimed “transient window” is a window that is displayed for a short period of time, not a window containing transient content such as an advertisement. Accordingly, Musgrove fails to disclose “a transient window”.

For at least the above reasons, Musgrove does not teach “causing the insert to be displayed in a transient window proximate to the aspect”. None of Tripp, Mathur and Brandli remedy the deficiencies of Musgrove, alone or in the combination suggested by the Examiner.

Accordingly, Applicants submit that claim 1 is patentably distinguishable over Tripp, Mathur, Brandli and Musgrove.

Claim 47 also recites “causing the insert to be displayed in a transient window proximate to the aspect”. Applicants submit that claim 47 is patentably distinguishable over the cited references for at least the same reasons as claim 1. Claims 1, 3-5, 8, 11, 16-24, 47, 49-51, 54, 57, 73-77 and 83-87 depend from claims 1 and 47 and are patentably distinguishable for at least the same reasons.

In the 4th paragraph of the Office Action, the Examiner rejects claims 12-15 and 58-61 as allegedly being unpatentable over Tripp in view of Mathur or in further view of Brandli or in further view of Phelps (“All you can seek”, Special Services, July 1999, Vol. 7, Iss. 7). This rejection is respectfully traversed.

Claims 12-15 and 58-61 depend from claims 1 and 47 which have been shown above to be patentably distinguishable over Tripp, Mathur, Brandli and Mathur. Phelps does not remedy the deficiencies of Tripp, Mathur, Brandli and Mathur. Specifically, Phelps is limited to the discussion of customizable searches and does not teach or suggest “causing the insert to be displayed in a transient window proximate to the aspect”. Thus, Applicants submit that claims 12-15 and 58-61 are patentably distinguishable over Tripp, Mathur, Brandli, Mathur and Phelps.

In the 5th paragraph of the Office Action, the Examiner rejects claims 25 and 78-82 as allegedly being unpatentable over Musgrove in view of Mathur in further view of Brandli. This rejection is respectfully traversed.

As amended claim 25 recites:

identifying an aspect associated with an article;
automatically searching a local article index with a user-context-dependent search query for a search result associated with the aspect, wherein the user-context-dependent search query is based, at least in part, on a user action history comprising a

plurality of dates upon which a plurality of user actions were performed on a plurality of articles;
automatically generating an insert comprising an image representing the search result;
placing the insert into the article such that the insert will be displayed proximate to the aspect when the article is displayed; and
causing the article to be displayed.

In the claimed invention, an insert comprising an image representing a search result is automatically generated and placed into an article such that the insert will be displayed proximate to an aspect associated with the article when the article is displayed.

None of Musgrove, Mathur or Brandli teach or suggest the features of the claimed invention. Specifically none of Musgrove, Mathur or Brandli teach or suggest “an insert comprising an image representing the search result” or “placing the insert into the article such that the insert will be displayed proximate to the aspect when the article is displayed”.

In the rejection of claim 25, the Examiner asserts that Musgrove discloses “automatically generating an insert comprising a search result”, citing a portion of Musgrove which discloses an algorithm for generating search results. Musgrove is limited to the generic discussion of search results and does not discuss “an image representing the search result”. Accordingly, Musgrove fails to teach or disclose “an image representing the search result”. Neither Mathur nor Brandli remedy this deficiency of Mathur.

In this rejection, the Examiner further states that Musgrove teaches placing the “insert into the article such that the insert will be displayed near the aspect when the article is displayed”. In support of this statement, the Examiner cites the same portion of Musgrove (page 9, Paragraph 62) as discussed above with respect to claim 1. Applicants submit that this statement extends Musgrove beyond its teachings for the reasons discussed above. Accordingly,

Musgrove fails to teach “placing the insert into the article such that the insert will be displayed proximate to the aspect when the article is displayed”.

For at least the reasons above, Applicants submit that claim 25 is patentably distinguishable over the cited references. Claims 78-82 depend from claim 25 and are patentably distinguishable for at least the same reasons.

Conclusion

In sum, Applicants respectfully submit that the pending claims, as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them. In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
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